

111TH CONGRESS
2D SESSION

S. 3460

To require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2010

Mr. SANDERS (for himself, Mr. SPECTER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. KAUFMAN, Mrs. GILLIBRAND, Ms. STABENOW, Mr. LEAHY, Mrs. BOXER, Mr. CASEY, Mr. HARKIN, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. MERKLEY, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “10 Million Solar Roofs
5 Act of 2010”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ELIGIBLE PARTICIPANT.—The term “eligi-
4 ble participant” means—

5 (A) an owner of a home;

6 (B) a business entity;

7 (C) a local educational agency; and

8 (D) any other individual or entity that the
9 Secretary determines to be appropriate.

10 (2) INSTALLED NAMEPLATE CAPACITY.—The
11 term “installed nameplate capacity” means the max-
12 imum output of a solar electric system under specific
13 conditions designated by the manufacturer of the
14 solar electric system.

15 (3) LOCAL EDUCATIONAL AGENCY.—The term
16 “local educational agency” has the meaning given
17 the term in section 9101 of the Elementary and Sec-
18 ondary Education Act of 1965 (20 U.S.C. 7801).

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of Energy.

21 (5) SOLAR ENERGY SYSTEM.—The term “solar
22 energy system” means rooftop or ground-mounted
23 solar equipment—

24 (A) that is used to generate electricity or
25 heat water; and

1 (B) with an installed nameplate capacity
2 not exceeding 1 megawatt or the thermal equiv-
3 alent of 1 megawatt.

4 **SEC. 3. REBATES, LOANS, AND OTHER INCENTIVES FOR**
5 **PURCHASE AND INSTALLATION OF SOLAR**
6 **ENERGY SYSTEMS.**

7 (a) IN GENERAL.—As soon as practicable after the
8 date of enactment of this Act, the Secretary shall establish
9 a program under which the Secretary shall provide funds
10 to States to provide rebates, loans, or other incentives to
11 eligible participants for the purchase and installation of
12 solar energy systems for properties located in the United
13 States.

14 (b) ALLOCATION.—For each of fiscal years 2012
15 through 2020, the Secretary shall provide funds to States
16 in accordance with the allocation formula used to allocate
17 funds to States to carry out State energy conservation
18 plans under part D of title III of the Energy Policy and
19 Conservation Act (42 U.S.C. 6321 et seq.).

20 (c) STATES NOT RECEIVING FUNDS.—

21 (1) DUTY OF STATES.—Any State that does not
22 elect to receive funds provided under this section
23 shall submit to the Secretary written notification of
24 the decision of the State not to receive the funds.

1 (2) DUTY OF SECRETARY.—Upon the receipt of
 2 written notification by a State under paragraph (1),
 3 the Secretary shall redistribute the funds that the
 4 State would have received to each other State that
 5 elects to receive funds provided under this section in
 6 accordance with the allocation formula described in
 7 subsection (b).

8 (d) IMPLEMENTATION.—

9 (1) AUTHORIZED USE OF FUNDS.—Subject to
 10 subsection (e), each State may use funds received
 11 under this section to expand an existing, or establish
 12 and fund a new—

13 (A) State solar rebate program;

14 (B) solar loan program;

15 (C) solar performance-based incentive pro-
 16 gram; or

17 (D) solar incentive program or innovative
 18 solar financing program not described in sub-
 19 paragraphs (A) through (C), as determined by
 20 the Secretary.

21 (2) PROGRAM REQUIREMENTS.—For each fiscal
 22 year during which a State uses funds provided under
 23 this section for a use described in paragraph (1), the
 24 State shall—

1 (A) certify to the Secretary that the funds
2 will be used—

3 (i) to supplement, expand, or create
4 new programs (and will not supplant exist-
5 ing programs as to maximize program par-
6 ticipation); and

7 (ii) to deploy an increased quantity of
8 solar energy systems; and

9 (B) submit to the Secretary an annual im-
10 plementation plan that contains—

11 (i) projections for solar energy sys-
12 tems deployment;

13 (ii) data regarding the number of eli-
14 gible participants that are assisted under
15 existing applicable State programs; and

16 (iii) projections for—

17 (I) additional solar energy system
18 deployment; and

19 (II) the number of additional eli-
20 gible participants for the fiscal year
21 following the fiscal year covered by
22 the annual implementation plan.

23 (e) SOLAR ENERGY SYSTEM.—With respect to each
24 State that receives funds under this section, the Secretary

1 may specify the type and capacity of the solar energy sys-
2 tem that the State may use.

3 (f) NON-FEDERAL SHARE.—Each State that receives
4 funds under this section shall be responsible for an
5 amount equal to 20 percent of the amount of the provided
6 funds.

7 (g) ADMINISTRATIVE EXPENSES.—Not more than 5
8 percent of the amounts made available for each fiscal year
9 under this section may be used to pay the administrative
10 expenses of the Department of Energy that the Secretary
11 determines to be necessary to carry out this Act (including
12 expenses arising from monitoring and evaluation).

13 (h) RELATIONSHIP TO OTHER LAW.—An eligible
14 participant that receives a rebate under this section shall
15 not be eligible for a rebate under section 206(c) of the
16 Energy Policy Act of 2005 (42 U.S.C. 15853).

17 (i) COORDINATION; CONSULTATION.—To the max-
18 imum extent practicable, the Secretary shall consult with
19 the Secretary of the Treasury and the Governor of each
20 State that receives funds under this section to ensure that
21 each program carried out by each State through the use
22 of the funds is coordinated with each other applicable in-
23 centive or financing program of the Federal Government
24 or any other State.

1 (j) GOAL.—It is the aspiration and goal of the United
2 States, through this Act or any appropriate incentive or
3 research and development program, to install distributed
4 solar energy systems on not less than 10,000,000 prop-
5 erties located in the United States by January 1, 2020.

6 (k) REPORT REGARDING ADDITIONAL REC-
7 OMMENDATIONS.—Not later than 270 days after the date
8 of enactment of this Act, the Secretary shall submit to
9 the Committee on Energy and Natural Resources of the
10 Senate and the Committee on Energy and Commerce of
11 the House of Representatives a report that contains addi-
12 tional recommendations that the Secretary determines to
13 be necessary to achieve the goal described in subsection
14 (j), including any modification to the program established
15 under subsection (a).

16 (l) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to the Secretary to carry
18 out this section—

- 19 (1) for fiscal year 2012, \$250,000,000; and
20 (2) for each of fiscal years 2013 through 2020,
21 such sums as are necessary.

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